

Bill No. SB 226

Barcode 704904    Comm: RCS    03/15/2006 04:41 PM

578-1474A-06

Proposed Committee Substitute by the Committee on Community  
Affairs

1                                    A bill to be entitled

2            An act relating to strategic asset land;

3            creating s. 253.0342, F.S.; providing

4            definitions; directing the Department of

5            Management Services to provide recommendations

6            to the the Board of Trustees of the Internal

7            Improvement Trust Fund and the Department of

8            Transportation regarding strategic asset land

9            of the board and the department; directing the

10           Department of Management Services to pursue

11           implementation of the management of such

12           strategic asset land; providing criteria

13           concerning such recommendations and management;

14           authorizing the Department of Management

15           Services to enter into contracts to assist in

16           such duties; directing the Department of

17           Environmental Protection, including the

18           Division of State Lands and the Department of

19           Transportation, to include the Department of

20           Management Services in the development and

21           maintenance of certain property inventories and

22           to provide that department with full and

23           necessary information and cooperation;

24           providing for application to the conservation

25           land exchange program implemented by the

26           Division of State Lands of the Department of

27           Environmental Protection and the Board of

28           Trustees of the Internal Improvement Trust

29           Fund; authorizing the board of trustees to

30           designate land as strategic asset management

31           land; providing for the deposition of proceeds

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1 of certain transactions involving the strategic  
2 asset land of the board of trustees and the  
3 Department of Transportation into the Florida  
4 Facilities Pool Working Capital Trust Fund;  
5 providing for distribution and use of such  
6 proceeds; providing an effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Section 253.0342, Florida Statutes, is  
11 created to read:

12 253.0342 Strategic asset land management.--

13 (1) As used in this section, the term:

14 (a) "Land" includes any improvements thereon.

15 (b) "Strategic asset land" means an interest in real  
16 property, title to which is or will be vested in the name of:

17 1. The Board of Trustees of the Internal Improvement  
18 Trust Fund and:

19 a. Was acquired pursuant to the Florida Racketeer  
20 Influenced and Corrupt Organization Act or the Murphy Act;

21 b. Is not designated by such board pursuant to this  
22 chapter as strategic asset land, conservation land, sovereign  
23 and state submerged land, land of the Cross Florida Barge  
24 Canal, swamp and overflow land, or educational land; and

25 c. Is not leased for an agricultural or mining  
26 purpose.

27 2. The Department of Transportation pursuant to ss.  
28 337.25 and 337.29 and is not currently used for transportation  
29 purposes or identified for a projected transportation use in  
30 the work program of the Department of Transportation or  
31 long-range transportation plans adopted under s. 339.135, s.

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339.155, s. 339.175, s. 338.001, or s. 339.64. However,  
property that is encumbered by specific restrictions  
precluding the use of such property or proceeds from such  
property for purposes other than transportation is excluded.

(2) As directed by the Board of Trustees of the  
Internal Improvement Trust Fund for land identified in  
subparagraph (1)(b)1. or the Department of Transportation for  
land identified in subparagraph (1)(b)2., the Department of  
Management Services shall provide recommendations for and  
pursue implementation of the management of strategic asset  
land with the purpose of promoting the effective and efficient  
stewardship of the real property assets owned by this state.  
The Department of Management Services may contract for  
professional services as necessary and appropriate to assist  
with the performance of these duties.

(3) In implementing subsection (2), the Department of  
Management Services shall evaluate all strategic asset land  
and:

(a) Explore cooperative ventures and market  
opportunities that facilitate the effective and efficient  
stewardship of such land by consulting with governments and  
political subdivisions and, when appropriate, communicating  
with the private sector.

(b) Identify potential uses for such land which are in  
the best interest of the state, considering opportunities for  
cooperative ventures and market disposition and the relative  
value of the various ways that such land could be used,  
including, but not limited to, its potential use as  
conservation land or to facilitate the acquisition of  
conservation land, for multiple or single purposes; for  
transportation purposes; or for the purposes of a governmental

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entity.

(c) Propose the uses identified pursuant to paragraph (b) to the Board of Trustees of the Internal Improvement Trust Fund, for land identified in subparagraph (1)(b)1., and to the Secretary of Transportation and the Governor, for land identified in subparagraph(1)(b)2., as potential uses in the best interest of this state.

(4) The Division of State Lands, the Department of Environmental Protection, and the Department of Transportation shall include the Department of Management Services in developing and maintaining property inventories required by ss. 253.0325 and 337.25 and provide the Department of Management Services with all available information and full cooperation as necessary to facilitate the effective and efficient stewardship of strategic asset land.

(5) This section does not alter administration of the land exchange program involving conservation land which is administered by the Division of State Lands pursuant to s. 253.42. The Board of Trustees of the Internal Improvement Trust Fund may designate land to which it holds title and which is not in a conservation use as surplus and exchange such surplus land to benefit the conservation land acquisition program.

(6) The Board of Trustees of the Internal Improvement Trust Fund may designate land to which it holds title as strategic asset management land.

(7) Notwithstanding any other provision of law, the proceeds from a transaction involving the disposition of strategic asset land, which transaction was realized pursuant to a proposal by the Department of Management Services under paragraph (3)(c), shall be deposited in the Florida Facilities

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1 Pool Working Capital Trust Fund and distributed by the  
2 Department of Management Services as provided in this  
3 subsection. Upon the execution of such a transaction,  
4 sufficient amounts must be distributed to reimburse each party  
5 for the costs incurred to execute the transaction, and  
6 thereafter, remaining funds must be distributed as follows:

7 (a) Of the proceeds generated from disposition of land  
8 identified in subparagraph (1)(b)1., 50 percent to the  
9 Internal Improvement Trust Fund and 50 percent to the Florida  
10 Facilities Pool Working Capital Trust Fund; and

11 (b) Of the proceeds and revenues generated from  
12 disposition of land identified in subparagraph (1)(b)2., 50  
13 percent to the State Transportation Trust Fund of the  
14 Department of Transportation and 50 percent to the Florida  
15 Facilities Pool Working Capital Trust Fund.

16 (8) The funds distributed to the Florida Facilities  
17 Pool Working Capital Trust Fund pursuant to paragraphs (5)(a)  
18 and (b) must be used by the Department of Management Services  
19 to develop and operate the strategic asset land management  
20 activities authorized by this section, to correct capital  
21 deficiency needs of the Florida Facilities Pool, and to retire  
22 debt and pay debt service charges incurred under the Florida  
23 Building and Facilities Act.

24 Section 2. This act shall take effect July 1, 2006.  
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